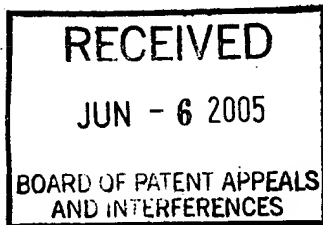


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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Torczon)

NEC CORPORATION
(09/750,116),
Junior Party,

v.

SHIN-ETSU CHEMICAL CO. LTD.
(6,280,898 B1)
Senior Party.

Patent Interference No. 105,297

NEC MISCELLANEOUS MOTION 1
(to amend claim 15)

NEC MISCELLANEOUS MOTION 1
(to amend claim 15)

Precise Relief

NEC moves to correct an obvious error in its claim 15. Enclosed as a separate paper is an Amendment and Remarks.


Material Facts

1. During a conference call with the judge and opposing counsel on May 25, 2005, NEC requested permission to amend claim 15 and Shin-Etsu consented.
2. The judge authorized NEC to file this motion by June 3, 2005, and in the resulting written Order dated May 25, 2005, the judge noted that, "Shin-Etsu stipulated to an amendment to NEC claim 15 to cure an obvious defect in the figure involving the number of bonds associated with the carbon bonded to R⁸." Paper 22 at 3.
3. The Amendment and Remarks filed with this motion (Appendix 1) cures the obvious defect.

Reasons for Requested Relief

Granting this motion will remove issues under 35 USC 112, ¶¶ 1-2 from the '297 interference and contribute to the just, speedy, and inexpensive resolution of this proceeding.

Dated: June 3, 2005

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